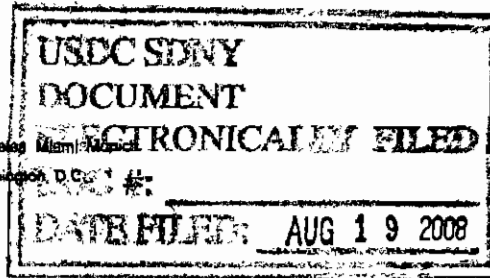


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August 18, 2008

VIA FACSIMILE AND MAIL

The Honorable Judge Laura Taylor Swain
United States District Court
for the Southern District of New York
500 Pearl Street, Room 755
New York, New York 10007-1312

MEMO ENDORSED

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel and unrepresented parties and filing a certificate of such service within 5 days from the date hereof. Do not fax such certification to Chambers.

Re: Edward D. Fagan, v. Republic of Austria, et al., 08 CV 6715

Dear Judge Swain:

We represent Generali Versicherung AG in the above-referenced action. At the time that the complaint was served the case had been referred to Judge Schindlin as a related matter. While Judge Schindlin was deliberating as to whether to accept the case I exchanged emails with plaintiff, Edward D. Fagan, regarding an extension of time within which to respond to the complaint. As reflected by the attached emails, Mr. Fagan advised that he would agree to an extension of time and asked me how much time I needed. As reflected by my email dated August 12, 2008, I advised Mr. Fagan that I needed until September 30, 2008 in which to respond to the complaint. Unfortunately, Mr. Fagan has not responded to my August 12 email and we are therefore asking the Court to grant the requested extension.

Respectfully submitted,

Robert A. Weiner

Robert A. Weiner

RAW:JDA
Enclosure

cc: Edward D. Fagan, Esq. (via e-mail)
Stephen M. Harnik, Esq. (via fax)

The requested extension is granted.

SO ORDERED.

NEW YORK, NY

[Signature]
LAURA TAYLOR SWAIN
Aug 19, 2008 UNITED STATES DISTRICT JUDGE

Copies mailed/faxed to
Chambers of Judge Swain

R. Weiner
8-19-08